



General Assembly

January Session, 2007

***Raised Bill No. 7160***

LCO No. 4218

\*04218\_\_\_\_\_PH\_\*

Referred to Committee on Public Health

Introduced by:  
(PH)

***AN ACT CONCERNING FUNERALS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-65 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 The embalmer or funeral director licensed by the department, or  
4 licensed in a state having a reciprocal agreement on file with the  
5 department and complying with the terms of such agreement, who  
6 assumes custody of a dead body shall obtain a [burial transit] removal,  
7 transit and burial permit from the registrar of the town in which the  
8 death occurred not later than five calendar days after death, and prior  
9 to final disposition or removal of the body from the state. The burial  
10 permit shall specify the place of burial or other place of interment and  
11 state that the death certificate and any other certificate required by law  
12 have been returned and recorded. Such registrar shall appoint suitable  
13 persons as subregistrars, who shall be authorized to issue a [burial  
14 transit] removal, transit and burial permit based upon receipt of a  
15 completed death certificate as provided in section 7-62b, during the  
16 hours in which the registrar of vital records is closed. All such  
17 certificates upon which a permit is issued shall be forwarded to the

18 registrar [within] not later than seven days after receiving such  
19 certificates. The appointment of subregistrars shall be made in writing,  
20 with the approval of the selectmen of such town, and shall be made  
21 with reference to locality, to best accommodate the inhabitants of the  
22 town. Such subregistrars shall be sworn, and their term of office shall  
23 not extend beyond the term of office of the appointing registrar. The  
24 names of such subregistrars shall be reported to the Department of  
25 Public Health. The Chief Medical Examiner, Deputy Chief Medical  
26 Examiner and associate medical examiners shall be considered  
27 subregistrars of any town in which death occurs for the purpose of  
28 issuing burial permits and removal permits. The fee for such burial  
29 permit and burial transit removal permit shall be paid to the town in  
30 which the death occurred.

31 Sec. 2. Section 7-66 of the general statutes is repealed and the  
32 following is substituted in lieu thereof (*Effective July 1, 2007*):

33 The sexton of a cemetery shall specify on the burial permit the place  
34 of burial, by section, lot or grave, or other place of interment. No  
35 additional burial or [burial transit] removal, transit and burial permit  
36 shall be required for a body that is placed temporarily in a receiving  
37 vault of any cemetery and subsequently buried in the same cemetery.  
38 In each case herein provided for, the sexton of such cemetery shall  
39 endorse upon the burial permit the date when the body was placed in  
40 the temporary receiving vault, and the date when and the place where  
41 such body was subsequently buried. The sexton shall also include a  
42 statement of the same in the monthly returns to the registrar of vital  
43 statistics. The sexton shall send a copy of the endorsed removal, transit  
44 and burial permit, or the permit for final disposition if the death  
45 occurred in another state, to the registrar of vital statistics who filed  
46 the death certificate for the body for which said removal, transit and  
47 burial permit was issued. If such subsequent burial is to be in any  
48 cemetery other than the cemetery where the body was temporarily  
49 deposited or if the body is to be cremated, the sexton shall return the  
50 burial permit to the issuing registrar, who shall thereupon issue the

51 necessary permits. Any person who violates any provision of this  
52 section shall be fined not more than five hundred dollars or  
53 imprisoned not more than five years.

54 Sec. 3. Section 7-69 of the general statutes is repealed and the  
55 following is substituted in lieu thereof (*Effective July 1, 2007*):

56 No person except a licensed embalmer or funeral director licensed  
57 by the department, or licensed in a state having a reciprocal agreement  
58 on file with the department and complying with the terms of such  
59 agreement, shall remove the body of a deceased person, except that  
60 once the body of a deceased person has been embalmed or prepared in  
61 accordance with the Public Health Code and applicable provisions of  
62 the general statutes, a licensed embalmer or funeral director may  
63 authorize an unlicensed employee to transport such body. No person  
64 except a licensed embalmer or funeral director licensed by the  
65 department, or licensed in a state having a reciprocal agreement on file  
66 with the department, shall remove the body of any deceased person  
67 from this state to another state until a [burial transit] removal, transit  
68 and burial permit has been issued in accordance with section 7-65. No  
69 [burial transit] removal, transit and burial permit shall be issued unless  
70 the death certificate has been signed by a licensed embalmer or funeral  
71 director licensed by the department, or licensed in a state having a  
72 reciprocal agreement on file with the department and complying with  
73 the terms of such agreement. In the case of a deceased person who, at  
74 the time of death, had a communicable disease specified by the Public  
75 Health Code, the permit shall certify that the body was prepared in  
76 accordance with the regulations of the Public Health Code. Such  
77 permit shall be sufficient to permit the burial of such deceased person  
78 in any town in this state other than the town in which such person  
79 died, without a burial permit from the registrar of the town where  
80 such person is to be buried. If the body of a deceased person is brought  
81 into the state for burial or cremation and is accompanied by a [burial  
82 transit] removal, transit and burial permit, or a permit for final  
83 disposition indicating the manner and place of final disposition of the

84 body, issued by the legally constituted authorities of the state from  
85 which such body was brought, such permit shall be received as  
86 sufficient authority for burial or cremation; except that, if such body is  
87 not accompanied by such permit, the person or persons in charge of  
88 such body shall apply for a burial permit to the registrar of vital  
89 statistics of the town in which such body is to be buried, and such  
90 registrar shall issue such permit when furnished with such information  
91 as to the identity of the deceased person and the cause of death as is  
92 required by section 7-62b concerning a person dying in this state. Any  
93 person who violates any provision of this section, or who knowingly  
94 signs a false permit or knowingly allows a false permit to be used in  
95 lieu of a permit required by this section, shall be fined not more than  
96 five hundred dollars or imprisoned not more than six months, or both.

97 Sec. 4. Subsection (a) of section 7-73 of the general statutes is  
98 repealed and the following is substituted in lieu thereof (*Effective July*  
99 *1, 2007*):

100 (a) To any person performing the duties required by the provisions  
101 of the general statutes relating to registration of marriages, deaths and  
102 fetal deaths, the following fees shall be allowed: (1) For the license to  
103 marry, ten dollars; and (2) for issuing each burial or [burial transit]  
104 removal, transit and burial permit, three dollars.

105 Sec. 5. Section 19a-270 of the general statutes is repealed and the  
106 following is substituted in lieu thereof (*Effective July 1, 2007*):

107 The first selectman of any town, the mayor of any city, the  
108 administrative head of any state correctional institution or the  
109 superintendent or person in charge of any almshouse, asylum,  
110 hospital, morgue or other public institution which is supported, in  
111 whole or in part, at public expense, having in his or her possession or  
112 control the dead body of any person which, if not claimed as  
113 [hereinafter] provided in this section, would have to be buried at  
114 public expense, or at the expense of any such institution, shall,  
115 immediately upon the death of such person, notify [his] such person's

116 relatives thereof, if known, and, if such relatives are not known, shall  
117 notify the person or persons bringing or committing [him] such person  
118 to such institution. Such official shall, within twenty-four hours from  
119 the time such body came into his or her possession or control, give  
120 notice thereof to the Department of Public Health and shall deliver  
121 such body to The University of Connecticut, the Yale University School  
122 of Medicine or the University of Bridgeport College of Chiropractic or  
123 its successor institution, as said department may direct and in  
124 accordance with an agreement to be made among said universities in  
125 such manner as is directed by said department and at the expense of  
126 the university receiving the body, if The University of Connecticut,  
127 Yale University, or the University of Bridgeport College of  
128 Chiropractic or its successor institution, at any time within one year,  
129 has given notice to any of such officials that such bodies would be  
130 needed for the purposes specified in section 19a-270b; provided any  
131 such body shall not have been claimed by a relative, either by blood or  
132 marriage, or a legal representative of such deceased person prior to  
133 delivery to any of said universities. The university receiving such body  
134 shall not embalm such body for a period of at least forty-eight hours  
135 after death, and any relative, either by blood or marriage, or a legal  
136 representative of such deceased person may claim such body during  
137 said period. If any such body is not disposed of in either manner  
138 [herein] specified in this section, it may be cremated or buried. When  
139 any person has in his or her possession or control the dead body of any  
140 person which would have to be buried at public expense or at the  
141 expense of any such institution, he or she shall, within forty-eight  
142 hours after such body has come into his or her possession or control,  
143 file, with the registrar of the town within which such death occurred, a  
144 certificate of death as provided in section 7-62b, unless such certificate  
145 has been filed by a funeral director. Before any such body is removed  
146 to any of said universities, the official or person contemplating such  
147 removal shall secure a [burial transit] removal, transit and burial  
148 permit which shall be delivered with the body to the official in charge  
149 of such university, who shall make return of such [burial transit]

150 removal, transit and burial permit in the manner provided in section 7-  
151 72.

152 Sec. 6. Section 19a-323 of the general statutes is repealed and the  
153 following is substituted in lieu thereof (*Effective July 1, 2007*):

154 The body of any deceased person may be disposed of by  
155 incineration or cremation in this state or may be removed from the  
156 state for such purpose. If death occurred in this state, the death  
157 certificate required by law shall be filed with the registrar of vital  
158 statistics for the town in which such person died, if known, or, if not  
159 known, for the town in which the body was found. The Chief Medical  
160 Examiner, Deputy Chief Medical Examiner, associate medical  
161 examiner, or an authorized assistant medical examiner shall complete  
162 the cremation certificate, stating that such medical examiner has made  
163 inquiry into the cause and manner of death and is of the opinion that  
164 no further examination or judicial inquiry is necessary. The cremation  
165 certificate or, if the death occurred in another state, the permit for final  
166 disposition issued by the legally constituted authorities of the state  
167 from which such body was brought and indicating cremation for the  
168 body shall be submitted to the registrar of vital statistics of the town in  
169 which such person died, if known, or, if not known, of the town in  
170 which the body was found, or with the registrar of vital statistics of the  
171 town in which the funeral director having charge of the body is  
172 located. Upon receipt of the cremation certificate or the permit for final  
173 disposition if the death occurred in another state, the registrar shall  
174 authorize the cremation certificate, keep it on permanent record, and  
175 issue a cremation permit, except that if the cremation certificate is  
176 submitted to the registrar of the town where the funeral director is  
177 located, such certificate shall be forwarded to the registrar of the town  
178 where the person died to be kept on permanent record. The estate of  
179 the deceased person, if any, shall pay the sum of forty dollars for the  
180 issuance of the cremation certificate or an amount equivalent to the  
181 compensation then being paid by the state to authorized assistant  
182 medical examiners, if greater. No cremation certificate shall be

183 required (1) for a permit to cremate the remains of bodies pursuant to  
 184 section 19a-270a, or (2) when the death occurred in another state and a  
 185 permit for final disposition has been issued by the legally constituted  
 186 authorities of the state from which such body was brought. When the  
 187 cremation certificate is submitted to a town other than that where the  
 188 person died, the registrar of vital statistics for such other town shall  
 189 ascertain from the original [burial transit] removal, transit and burial  
 190 permit that the certificates required by the state statutes have been  
 191 received and recorded, that the body has been prepared in accordance  
 192 with the Public Health Code and that the entry regarding the place of  
 193 disposal is correct. Whenever the registrar finds that the place of  
 194 disposal is incorrect, the registrar shall issue a corrected [burial transit]  
 195 removal, transit and burial permit and, after inscribing and recording  
 196 the original permit in the manner prescribed for sextons' reports under  
 197 section 7-72, shall then immediately give written notice to the registrar  
 198 for the town where the death occurred of the change in place of  
 199 disposal stating the name and place of the crematory and the date of  
 200 cremation. Such written notice shall be sufficient authorization to  
 201 correct these items on the original certificate of death. No body shall be  
 202 cremated until at least forty-eight hours after death, unless such death  
 203 was the result of communicable disease, and no body shall be received  
 204 by any crematory unless accompanied by the permit provided for in  
 205 this section. The fee for a cremation permit shall be three dollars and  
 206 for the written notice one dollar. The Department of Public Health  
 207 shall provide forms for cremation permits, which shall not be the same  
 208 as for regular burial permits and shall include space to record  
 209 information about the intended manner of disposition of the cremated  
 210 remains, and such blanks and books as may be required by the  
 211 registrars.

212 Sec. 7. Section 20-219a of the general statutes is repealed and the  
 213 following is substituted in lieu thereof (*Effective July 1, 2007*):

214 (a) As used in this section: (1) "Licensee" means a funeral director or  
 215 embalmer licensed pursuant to this chapter; and (2) "department"

216 means the Department of Public Health; and (3) "registration period"  
217 means the twelve-month period that commences on the date of  
218 renewal of the licensee's license, as provided in section 19a-88, and is  
219 current and valid.

220 (b) Each licensee shall complete a minimum of six hours of  
221 continuing education during each registration period, two of which  
222 shall be in the area of federal and state laws regarding the provision of  
223 funeral services, including applicable Federal Trade Commission  
224 regulations. The remaining four hours of continuing education shall be  
225 in areas related to the licensee's practice, including, but not limited to,  
226 bereavement care, business management and administration, religious  
227 customs and traditions related to funerals, cremation services,  
228 cemetery services, natural sciences, preneed services, restorative arts  
229 and embalming, [federal and state laws governing funeral services,]  
230 counseling, funeral service merchandising, sanitation and infection  
231 control, organ donation or hospice care. The continuing education  
232 shall consist of courses offered or approved by the Academy of  
233 Professional Funeral Service Practice, educational offerings sponsored  
234 by a hospital or other licensed health care institution or courses offered  
235 by a regionally accredited institution of higher education.

236 (c) Each licensee shall obtain a certificate of completion from the  
237 provider of the continuing education for all continuing education  
238 hours that are successfully completed and shall retain such certificate  
239 for a minimum of three years following the license renewal date for  
240 which the activity satisfies the continuing education requirement.  
241 Each funeral home shall maintain a copy of such certificate for each  
242 licensee employed by the funeral home. Upon request by the  
243 department, the licensee or funeral home shall submit the certificate to  
244 the department.

245 (d) A licensee who fails to comply with the provisions of this section  
246 shall be subject to disciplinary action pursuant to section 20-227.

247 (e) The continuing education requirements shall be waived for



248 licensees applying for license renewal for the first time. The  
249 department may, for a licensee who has a medical disability or illness,  
250 grant a waiver of the continuing education requirements for a specific  
251 period of time or may grant the licensee an extension of time in which  
252 to fulfill the requirements.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2007</i>	7-65
Sec. 2	<i>July 1, 2007</i>	7-66
Sec. 3	<i>July 1, 2007</i>	7-69
Sec. 4	<i>July 1, 2007</i>	7-73(a)
Sec. 5	<i>July 1, 2007</i>	19a-270
Sec. 6	<i>July 1, 2007</i>	19a-323
Sec. 7	<i>July 1, 2007</i>	20-219a

***Statement of Purpose:***

To clarify procedures for bodies brought into this state for purposes of cremation and to update continuing education requirements for funeral directors and embalmers.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*